

Notice of Allowability

Application No.

10/072,140

Examiner

Paul Contino

Applicant(s)

LAUTERBACH ET AL.

Art Unit

2114

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9 November 2006.
2. ☒ The allowed claim(s) is/are 1,4-11,13-19,22-24,28,29,31,33-35,38-41,44-52,54,56 and 58.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

NOTICE OF ALLOWANCE

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joseph P. Quinn (Reg. No. 45,029) on December 8, 2006.

2. The application has been amended as follows:

Claim 4: In lines 4-6, please **replace** "the compact flash" **with** "the removable nonvolatile memory device"

Claim 9: In line 1, please **replace** "claim 1" **with** "claim 6"

Claim 9: In line 3, please **replace** "the buses, the adapters" **with** "the bus, the adapter"

Claim 11: In line 9, please **delete** "and" **after** "memory device;"

Claim 11: In line 15, please **replace** "tine." **with** "tine; and"

Claim 11: In line 16, please **add** the limitations of claim 12 lines 2, 3, and 4

Claim 12: Please **delete** claim 12

Claim 15: In line 2, please **replace** "the file server" **with** "the storage server system"

Claim 16: In line 10, please **insert** “instead of the normal boot routine” **between** “system firmware” **and** “, the command”

Claim 24: In line 3, please **replace** “containing boot” **with** “contains boot”

Claim 24: In line 10, please **replace** “code.” **with** “code;”

Claim 24: In line 11, please **insert** the limitations of claim 30, beginning from “wherein” in line 1 of claim 30 through to the end of line 3 of claim 30. Please also **replace** “normal boot routing” **with** “normal boot routine” from former line 3 of claim 30.

Claim 30: Please **delete** claim 30.

Claim 31: In line 13, please **replace** “boot routine.” **with** “boot routine;”

Claim 31: In line 14, please **insert** “wherein one of the partitions is designated as a maintenance log into which test results and data are stored.”

Claim 32: Please **delete** claim 32

Claim 35: In line 7, please **replace** “routine; and” **with** “routine;”

Claim 35: In line 12, please **replace** “memory.” **with** “memory; and”

Claim 35: In line 13, please **add** the limitations of claim 37 lines 2 and 3

Claim 37: Please **delete** claim 37

Claim 41: In line 13, please **insert** “as a partition” **between** “memory” **and** “to store”

Claim 44: In line 10, please **insert** “as a partition” **between** “memory” **and** “to store”

Claim 52: In line 10, please **replace** “routine.” **with** “routine;”

Claim 52: In line 11, please **add** the limitations of claim 53 beginning from “wherein” in line 1 of claim 53 through to the end line 3 of claim 53

Claim 53: Please **delete** claim 53

Claim 54: In line 7, please **replace** “memory; and” **with** “memory;”

Claim 54: In line 9, please **replace** “drive.” **with** “drive; and”

Claim 54: In line 10, please **add** the limitations of claim 55 lines 2 and 3

Claim 56: In line 8, please **replace** “memory; and” **with** “memory;”

Claim 56: In line 10, please **replace** “drive.” **with** “drive; and”

Claim 56: In line 11, please **add** the limitations of claim 57 lines 2 and 3

Claim 57: Please **delete** claim 57

Claim 58: In line 8, please **replace** “memory; and” **with** “memory;”

Claim 58: In line 10, please **replace** “drive.” **with** “drive; and”

Claim 58: In line 11, please **add** the limitations of claim 55 lines 2 and 3

Claim 55: Please **delete** claim 55

Allowable Subject Matter

3. Claims 1, 4-11, 13-19, 22-24, 28-29, 31, 33-35, 38-41, 44-52, 54, 56, and 58 are allowed.
4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,956,475 Burckhardt et al. discloses partitioning with diagnostics and a fault log.

U.S. PGPub 2004/0221194 Denninghoff et al. discloses multiple boot partitions.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Contino whose telephone number is (571) 272-3657. The examiner can normally be reached on Monday-Friday 9:00 am - 6:00 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Baderman can be reached on (571) 272-3644. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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